



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

THE BUTTE MINERS AND THE RUSTLING CARD

The city of Butte is the site of one of the world's largest copper mining camps and the heart of the great copper industry of Montana. The heaviest copper producer in the Butte district is the Anaconda Copper Mining Company. The Anaconda properties for years produced one third of the copper output of the United States and one sixth of the world's production. It now hoists from its twenty-odd shafts more than 10 per cent of the world's annual output of copper. In 1918, when the Butte mines were being worked very close to capacity, the Anaconda Company employed 12,000 of the 16,000 mine workers in the district. By the early summer of 1919, however, mining operations had been cut to less than 50 per cent of capacity. The number of men employed by the Anaconda Company remained, nevertheless, at about 75 per cent of the total mine-working population of the district, this company employing probably ten times as many men as any other one company.

In 1912 the Anaconda Company instituted a so-called employment system, the significant feature of which was a leave-to-look-for-work permit called the "rustling card." With one or two important but incidental modifications this system continues in operation at the present time. The machinery for its operation is contained in the company's employment department.¹ The office of this department is popularly referred to as "the rustling card office" or "the rustling office." The function of the employment department is (1) to issue official permits ("rustling cards") to job-seekers who wish to "rustle the mines" (including the mines of certain other companies in the Butte district as well as those of the Anaconda Company) and (2) to keep certain records of the men to whom such permits are issued.

This rustling card system has produced varying reactions among the different labor groups in the Butte district. From some it has elicited passionate protest and emphatic demands for its abolition; from others merely mild disapproval; from still others passive acquiescence, apparent approval. From the beginning it appears to have been looked upon with suspicion and distrust by the rank and file of the miners. Finally, at the end of a long strike in the summer and fall of 1917 the rustling card system

¹ Since these lines were written this machinery has been transferred to the Butte Mutual Labor Bureau. See note at end of this paper.

was made the subject of a formal protest to the Honorable W. B. Wilson, Secretary of Labor, by the Metal Mine Workers' Union, now called the Metal Mine Workers' Union of America. As a result of this protest the Department of Labor has made an investigation of labor conditions in the copper mining industry in the Butte district, with special reference to the rustling card system. The present article summarizes the salient features of the report of this investigation, particularly those sections of it dealing with the rustling card, the local labor organizations, and their attitude toward the card.

Labor organization in the Butte district.

Within the past quarter of a century a significant transformation has taken place in industrial conditions at Butte. Formerly a single powerful body of organized mine workers, The Butte Miners' Union of the Western Federation of Miners, had to deal with a number of separate, unaffiliated, and relatively small mine-owning companies. Now several weak and discordant unions and a large group of entirely unorganized miners find themselves face to face with mine-owning interests which have become almost literally one-mine-owning interest—The Anaconda Copper Mining Company. While the employers have been organizing, the employees have been disorganizing.

Mining activities on an appreciable scale in the Butte district began in 1878. In that year was organized the Butte Miners' Union, which was incorporated in 1881 as the Butte Miners' Union, Incorporated. This organization continued as an independent body until 1893 when it became a part of the newly launched Western Federation of Miners. The Butte Miners' Union was the strongest and most prosperous of the locals which united to form the Western Federation of Miners, and from first to last was not only its most important source of financial strength but also its chief reliance in strikes or other labor troubles in other parts of its jurisdiction. While the mine operators were centralizing their interests, the mine workers moved for a time in the same direction, developing a compact and powerful union which until 1914 kept the Butte mines on a closed-shop basis. It is important to note that until 1914 there was only one union of mine workers in Butte and that that union carried on its books practically all of those working in and around the mines of the district, including surfacemen and mill and smeltermen as well as

miners proper. However, there has always been a large number of craftsmen (carpenters, machinists, electricians, etc.) working on the surface in connection with the mines, and belonging to their respective craft unions, affiliated with the American Federation of Labor, but not connected with the Western Federation of Miners.

When in December, 1912, the Anaconda Copper Mining Company established its rustling card office, the Butte Miners' Union immediately protested. The committee appointed to investigate the new plan reported its disapproval of the scheme, but recommended that nothing be done about it at that time. A minority report presented at the same meeting demanded an active campaign against the rustling card and about this same time the members of the union demanded and took a referendum vote on the subject. The books of the union were destroyed when its hall was blown up in 1914 and personal testimony as to the result of the referendum is so conflicting that it is uncertain whether or not the membership endorsed the majority report of the committee.

In June, 1914, the hall of the Butte Miners' Union was dynamited. It is not likely that the responsibility for this disaster will ever be definitely fixed. The mine operators place the blame on the shoulders of the agitators and malcontents in the union. The members of the radical unions in the Butte district generally explain it as an act of the mine operators perpetrated in order to discredit the union and if possible disrupt it and so bring about an open-shop camp. This act following a series of disputes and disturbances had the immediate effect of changing Butte from a closed-shop union town to an open-shop non-union town. From the fall of 1914 until June, 1917, there was no miners' organization in the Butte district. The union men belonging to the craft internationals were a very small minority of the total number of mine workers. For a few months following the dynamiting of the union hall there was in existence a new organization independent of any other and known as the Butte Mine Workers' Union, commonly referred to now among the miners as "Muckie McDonald's Union." This organization had been launched a few days before the dynamiting of the union hall by an insurgent group of radicals which had been carrying on a campaign against their own alleged reactionary officers and against the whole administration of the Western Federation of Miners. It is claimed by a sympathizer that this union enrolled over 8,000 members within two months of its inception, but that it was crushed out of existence

in the fall of 1914 by martial law and state militia government in the district.² At any rate it expired in a few months.

The Anaconda Company appears to have waged an active campaign against this short-lived labor organization and made a special point in its indictment by branding it an I. W. W. union. This was emphatically denied by its members, and Mr. Tompkins asserts that at that time there were not over 75 I. W. W.'s in the whole city of Butte.³ This statement corresponds with the testimony of Dan Shovlin, a member of the union referred to, who stated to the United States Commission on Industrial Relations that of approximately 5400 members of the Butte Mine Workers' Union but a very small per cent were members of the I. W. W.⁴ The Industrial Workers of the World entered the Butte field with one of its propaganda leagues at about the time Muckie McDonald's Union was organized or possibly some months earlier. This propaganda league became in 1917 the "Metal Mine Workers' Industrial Union No. 800, I. W. W." It had in 1917 a membership of about 1200. Its membership now appears to be less than half that number.

Shortly before the disappearance of the Butte Mine Workers' Union from the field, in October, 1914, an open-shop ultimatum, so-called, was issued by the Anaconda Copper Mining Company. From that time until June, 1917, the camp remained non-union. It might still be non-union, had it not been for the fire of June 8, 1917, in the Speculator mine, operated by the North Butte Mining Company. This was one of the most terrible mine disasters in mining history. In this fire about 140 men were smothered or burned to death and the workings of the Speculator mine completely gutted and the mine put out of operation for months. The miners spontaneously stayed away from work during the days immediately following the disaster and on the twelfth, four days after the fire, the mine workers held a mass meeting and organized a union which they named the Metal Mine Workers' Union.

It is impossible to speak with certainty as to the number of men enrolled in this union, but the organization claims to have entered on its books about 10,000 names, a great majority of the mine workers in the district. Many of these undoubtedly failed

² George R. Tompkins: *Truth about Butte. A Little History for Thoughtful People*, p. 23.

³ *Idem*, p. 21.

⁴ U. S. Commission on Industrial Relations, Hearings, vol. IV, p. 3,776.

to pay dues and could not be considered active members. It would appear from the statements in the *Joint Strike Bulletin* that they had in July not less than 5,000 members; and in February, 1918, their secretary made affidavit that there were 4,833 names on the books, of whom 2,358 or less than half were paying dues. At present their paid-up membership is probably less than 800.

As already intimated, the dynamite catastrophe of June, 1914, broke the backbone of the Western Federation. During the open-shop interval in Butte the Western Federation was transformed into or supplanted by the International Union of Mine, Mill & Smelter Workers, affiliated as an international with the American Federation of Labor. This new international was without any representation in Butte worthy of the name until June, 1917, and although it has since then maintained a local there, its membership has continued small. The secretary of the State Federation of Labor reported that it had a membership in February, 1918, of 600. Its present membership is probably about 250.

Soon after the Metal Mine Workers' Union was organized, negotiations were begun in regard to its affiliation with the local of the revamped Western Federation of Miners—the International Union of Mine, Mill & Smelter Workers. While the Metal Mine Workers were not enthusiastic, the affiliation would probably have been accomplished but for the imposition of an unreasonable condition to that affiliation. "All arrangements were completed and everything pointed to affiliation," state the Metal Mine Workers, "when like lightning out of a blue sky came the announcement from the A. F. of L. that in case we did affiliate, we must do so as individuals and that we must go back to work immediately."⁵ It is to be remembered that the Metal Mine Workers' Union came into existence as a result of the Speculator fire, that it came into existence during a strike which was still on and that its members had taken action against affiliation with any national organization until the strike was settled. The demands of the miners included a clause insisting upon more thorough mine inspection and fire protection and more adequate safety provisions in not only the ill-fated Speculator but all the other mines in the district. The other demands of the miners in this strike were for an increase in wages to \$6 for an eight-hour day and above all for the absolute abolition of the rustling card system.

Although it failed on the whole, the pressure of this strike and the united demands of the Metal Mine Workers and the Electri-

⁵ *Miners and Electrical Workers Joint Strike Bulletin*, July 12, 1917.

cians' Unions caused the Anaconda Company to introduce a modification in the rustling card system which obviated the necessity of an applicant's waiting for the return of the reference letters before being allowed to "rustle." This modifying order also made it possible for the job-seeker to use the same card on successive jobs instead of being required to go back to the rustling card office between successive jobs. This modification is explained more fully in the following pages.

The present situation.

At the present time, then, there are four separate labor organizations, each one of which claims jurisdiction over the underground workers—mine workers proper—of the Butte district. The craft internationals (carpenters, engineers, etc.) maintain their own organizations apart from the strictly miners' organizations. The four strictly miners' unions are: The Metal Mine Workers' Union of America; The Metal Mine Workers' Industrial Union, No. 800, I. W. W.; The International Union of Mine, Mill & Smelter Workers (A. F. of L.); and The Butte Miners' Union, Inc. The organizations are listed in the order of membership strength, as nearly as that could be approximated. Of the 4,500 to 5,000 underground workers employed in the mines in June, 1919, probably not more than 1,500 are organized at all, and these 1,500 are scattered among four organizations—or three if we omit the Butte Miners' Union, Incorporated, which appears to have only a handful of members. The surface workers are pretty solidly organized, principally in the various craft or trade internationals.⁶

Two of the miners' unions are essentially conservative unions and two of them are distinctly radical unions. The two conservative unions are Butte Miners' Union, Incorporated, and the International Union of Mine, Mill & Smelter Workers. The Butte Miners' Union, Incorporated, is not affiliated with any international or national organization and probably has no more than 15 or 20 paid-up members at the present time. It claims to be the genuine, original Butte Miners' Union No. 1 and disputes the claim made by the other conservative union, the International Union of Mine, Mill & Smelter Workers, to that honor. The two

⁶ A beginning was made in the organization of the unskilled surface workers at the time of the February, 1919, strike, when the Mill, Smelter & Surface Workers' Union was organized. It is affiliated with the Metal Mine Workers' Union of America. Its membership in June, 1919, was reported as 82.

radical unions, the Metal Mine Workers' Union of America and the Metal Mine Workers' Industrial Union No. 800, I. W. W. are stronger numerically than the two conservative unions, but despite their similarity of belief and tactics they are not affiliated and there is no official connection between them although a number of miners belong to both unions.

As has been already intimated, the rustling card system is not a complete employment system. It is not a system of hiring and firing at all, for, notwithstanding its name, the employment department neither employs nor discharges men. The mine superintendents or shift foremen at the different mines do the hiring and discharging and no job-seeker may apply to these foremen unless he has first secured a rustling card. The rustling card office, or the employment department, as the company officially designate it, does two things: it issues work permits to all applicants not considered undesirable; and it keeps a record of all the men to whom such permits are issued. The procedure in securing a permit or rustling card is as follows. The applicant goes to the rustling card office. He is first handed the following application form which he fills out, with the exception of the signature at the bottom:

No.

APPLICATION FOR EMPLOYMENT
with the
ANACONDA COPPER MINING COMPANY
Butte, Montana

Name of applicant
Age Birthplace
If foreign born are you a citizen of the United
States
Trade or occupation
Were you ever in the employ of this
company
If so, at what mine or in what department were
you last employed
State date of leaving last employment
Can you read and write English
Married or single
If married, where does your family reside
.....

Dated 191
.....

Signature of Applicant

Witness
.....

He then presents the application to one of the clerks who verifies the statements as to previous employment with the Anaconda Company by referring to the lists of all former employees, and writes on the back of the "application for employment" form the applicant's answers to a number of additional questions. The applicant is then required to sign the application form. These additional questions, which aim to bring out fairly complete information as to how the man has spent the preceding two years, are about as follows:

Where and in what capacities have you worked during the past two years?

What was the name of the boss at each place?

Give the date of beginning and ending work at each job.

Give the address of all employers for whom you worked during this period.

If the applicant's statement is apparently correct and if he is not listed as one whose services are not desired by the company, he is given a rustling card which has been filled in by the issuing clerk and is then presented to the applicant for his signature on the back. The card now in use is reproduced below:

(face of card)

F.1408—9-15-16—20M

ANACONDA COPPER MINING COMPANY

Butte, Montana

Application No.

Name

Date of Issuance.....191

ANACONDA COPPER MINING CO.

By.....

(back of card)

.....

Signature of Employee

After the applicant has signed, the clerk enters his name in the list of card-holders and the card is handed to him on his way out of the office. He is now at liberty to apply for work at any of the Anaconda Company's mines and at the mines of certain other operators who require the Anaconda card as a minimum prerequisite for work in their mines. Without this card no applicant is given a hearing by the hiring official at any of the mines of these companies. The card so far has been issued to him, however, only provisionally. If those whose names he has given as references,

to whom letters are immediately sent, should reply that he has not correctly reported his past record or that he is not qualified for the work, his card is taken up. If these replies are favorable he holds the card permanently or until it is withdrawn.

The procedure outlined above holds good for the most part for the operation of the employment department ever since it was started in 1912. However, between 1912 and July, 1917, it was handled on slightly different lines in regard to the use of references and the number of cards customarily issued to each applicant. Before 1917 the practice was to defer issuance of the card until replies to the reference questionnaires had been received, thus keeping the job-seeker waiting two or three weeks for the card and the chance to rustle on the hill. Now, those who are given cards receive them immediately and if the reference returns are unsatisfactory the card is taken up later. The early procedure with respect to the number of cards issued each applicant was as follows: The applicant was issued a card. He then rustled the mines. When he was taken on at some particular mine, his card was left with the timekeeper and by the official returned to the rustling card office. As long as he continued working in that mine no further permit was necessary, but if he quit work there and wanted work in another mine, he was obliged to go to the rustling card office and secure another card, which he could always get unless the company considered that he had done something which would make him an undesirable employee. As the system is now operated, the man deposits his card with the timekeeper who keeps it on file and returns it to him when he leaves, except in those cases where the card may be taken up for cause; so that one card now serves a man indefinitely. This does not mean that the possession of a card entitles him to a job. It entitles him only to *ask* for a job. His chances of getting a job rest with the foreman, the foreman's need of men, the foreman's estimate of the man's ability, desirability, etc.

Perhaps the most striking feature of this so-called employment system is its simplicity. The application form contains very few questions and in comparison with the application forms required by a great many companies, such as telephone companies, and the forms required to be filled out by the United States government, it seems almost inadequate. The issue is not in regard to its form but rather in its application to individual cases.

Reasons for establishing the rustling card system.

The following statement of the objects which the Anaconda Company had in view in installing this system was made by an official of the company in a speech at Missoula, Montana, before the chamber of commerce on August 29, 1917. He declared:

It is not alone the right but the duty of every large employer of labor to use a proper discrimination in selecting his employees, to the end that men criminal in character, dangerous to their fellow-workers and to the industry, be not brought into and kept in the community. To most of you the thought will occur that the employer has the absolute right to employ whomsoever he pleases and may discharge or refuse to employ a man for any whim that he may desire to indulge in, but I do not claim the right to this extent to the large employer, upon whose operations the residents of a community may largely or substantially depend. (moreover) no employer can exercise a proper discrimination in regard to his employees unless he knows at least in a general way who these employees are. The employment or rustling card system of the Anaconda Company is simply a system of identification, and the only fair criticism of it is that it does not go far enough.⁷

In the same speech this official said that "it became apparent to the officials of the Anaconda Company that in view of the increasing number of such characters (I. W. W.'s and radicals generally) in Butte, many of whom were working in the mines, that in order to do any part of its duty to the community and to itself, it must establish some system of knowing its employees. This was the main reason for the adoption of the rustling card system."⁸

He cited as additional reasons for it the following: (1) the necessity of having the names of its employees as a sort of system of identification so that the merchants in Butte could protect themselves from the increasing number of dead-beats, it having been represented to the company that many had obtained credit under false names and on the strength of the fact that they had secured work in the Butte mines; (2) the necessity of protecting the miners against certain foremen who were said to be making a practice of collecting from some of the men a part of their wages, in other words, charging them for their positions; (3) the necessity of furnishing the federal and state governments certain details of employment operations which could not be secured under

⁷ Missoula address of L. O. Evans, August 29, 1917, pamphlet (Butte, Mont.), p. 13.

⁸ *Ibid.*, p. 13.

any system less searching and comprehensive than the employment system in vogue. The vice-president of the company declared to the United States Commission on Industrial Relations that "the object lying behind it [the rustling card system] is to give the Anaconda Copper Mining Company the information concerning its employees which it deems it has a right to ascertain and which to my knowledge has never been abused in any way."⁹

The statements of officials of the Anaconda Company agree that the primary object of the rustling card is to keep out certain classes of employees. The company contends that by so doing it is performing a service to the government, to the loyal employees working in the mines, and to the citizens of the community in which the mines are located. The company unquestionably feels that it has the right to keep its enemies out of its employ. The members of the I. W. W. and the Metal Mine Workers' Union are regarded as enemies of the company and of the country and dangerous men to have in the mines. The federal prosecution of the leaders of the I. W. W. organization is taken by the Anaconda Company as a further ground for trying to keep the organization out of its mines. All of the company officials have charged in the Butte papers and in the presence of the writer that the I. W. W.'s are actually dangerous to the safety of the mines and destructive of mining property. It must be said, however, that no concrete evidence of any such destructive acts has been submitted.

In this connection the experience of one of the smaller mining companies in the Butte district is significant. This company operates its property—the Elm Orlu mine—and hires its miners without making any use of the rustling card. The president of the company states that they are opposed to it because they consider it un-American. Members of the I. W. W. or the Metal Mine Workers' Union are at liberty to apply for work in this company's mine, and members of both organizations were pretty constantly at work in that mine during and since the war period. The president of the company reports that they have had no trouble in regard to destruction of property and that no suspicion has attached to members of the I. W. W. in connection with mine fires or other acts of violence. Moreover, the Elm Orlu is not protected either by a fence around the mine shaft or by guards

⁹ *United States Commission on Industrial Relations, Hearings*, vol. iv, p. 3,700.

around the mine property as are the mines of the Anaconda and most of the other companies in the Butte district.

It is quite evident that the charge of maintaining a blacklist by means of the rustling card would be less serious if the card were used only by the Anaconda Company. When two or more companies make use of the same system, however, such a charge may have no little force, especially if they use this method to keep out certain classes of employees for reasons unconnected with the ability of the men to do the work for which they apply. There may be unjust discrimination in the operation of such a system by one single company and it may be very serious discrimination, but it would not necessarily constitute a blacklist. The use of the card by two or three very small companies might technically make it a blacklist without appreciably increasing the amount of discrimination made in its operation, inasmuch as the one big company hires a majority of the men that are hired in the district.

Attitude of the miners' unions toward the rustling card.

There is little expressed opposition to the rustling card system except by the two radical unions. The Butte Miners' Union, Incorporated, is too small and too much preoccupied with litigation for the recovery of its property to do anything about the rustling card. A conversation with one or two of its members revealed the fact that they personally disliked the rustling card, but had no particular argument to make against it. The International Union of Mine, Mill & Smelter Workers does not consider it good policy to make an issue of the rustling card now, because its rivals, the two radical unions, are making an issue of it. On the occasion of one of the writer's visits to the headquarters of the Mine, Mill & Smelter Workers he heard a defense of the rustling card system quite as emphatic as he later heard in the general offices of the Anaconda Mining Company. The officials of the International Union of Mine, Mill & Smelter Workers and of the American Federation of Labor admitted later that they disliked the rustling card, in and for itself, that probably all of the miners in Butte disliked it, that they considered it an un-American institution, but that compared with other employment systems in vogue in this country it was very simple and unobjectionable. They stated, however, that the card did not constitute a grievance of sufficient importance to justify any active campaign against it and moreover that it would be exceedingly poor policy to make such a

campaign at the present time because the two radical unions were making the rustling card the chief issue, and by so doing were trying to break up the "legitimate organizations of labor" in the Butte district. For those organizations to join the I. W. W. and the Metal Mine Workers in their anti-rustling-card campaign would be against their own interests.

None of the Butte unions have ever made the rustling card the subject of an agreement with the Anaconda Company or any other mine operator. Nor has the Anaconda Company ever attempted to have a clause agreeing to its use inserted in any contract. However, the company makes no agreements with any of the four unions of (underground) miners, its last agreement with underground men being the 1912 agreement with the Butte Miners' Union No. 1. The draft agreement submitted to the Anaconda Company by the Montana State Metal Trades Council in July of last year contained a clause demanding "the abolition of the rustling card in its entirety," but it appears that the negotiations were unsuccessful. The second of the demands of the Metal Mine Workers' Union of America, dated May 27, 1919, is for "the unconditional abolition of the rustling card system and the reinstatement of all black-listed men." The first demand is for the recognition of the union.

The two radical unions are bitterly opposed to the card. They charge that the real object of the company is to nip agitation in the bud, to punish those who were at one time active in the socialist administration of Mayor Duncan, to prevent the Socialist party from again securing a foothold in Butte, to strengthen the hands of those unions which it considers less aggressive and more easily dealt with, and to curb at all costs the propaganda of industrial unionism whether preached by I. W. W., Metal Mine Workers, or Socialists.

The Metal Mine Workers insist that the company is making use of the issue of patriotism to conceal its own profiteering and to protect itself in its attacks upon unionism, that it is imputing disloyalty to its enemies, the radical unionists, and investing itself with the halo of patriotism in order to discredit all aggressive tactics and outspoken complaints in regard to economic conditions.

Testimony of individual miners.

It would appear from the affidavits sworn to before the writer by nearly 100 miners as to their individual experiences with the

rustling card: (1) that men are refused cards without any reason being assigned therefor and, if employees ask for the reason, the usual explanation given is "The company will not require your services again"; (2) that to those who have been particularly persistent in following up the matter at the general offices of the company, it has been intimated that socialist, I. W. W., or anti-Anaconda activities in the Metal Mine Workers' Union have been responsible for the withdrawal of the rustling card; (3) that violence, destruction of property, and sabotage are not practiced in the mines and according to the oath of those men of more radical affiliation the use of such violence is not even preached or advocated to any appreciable extent by the mine workers.

Effects of the operation of the rustling card.

In considering the actual results of the five years of operation under the rustling card it is important to note, first, that the actual and relative number of refusals has been surprisingly small. The following paragraph from the address of the chief counsel of the company previously referred to gives the company's statement of the numerical proportion of refusals to applications:

To any charge of abuse of this system by the Anaconda Company the figures shown upon the employment records present a plain refutation. Since the employment office was first established, in December, 1912, and until May 17, 1917, there were 53,323 applications for these cards. Of this total number 1,004 were refused. Of the 1,004 originally refused, 357 cases were reconsidered and the applicants reinstated and the cards granted. These reinstatements were the result of further investigation which showed that in a very few instances errors had been made in identification, and in other cases the applicant was reinstated because of the intercession of prominent people of Butte who guaranteed the reformation and future good conduct of the applicant, leaving just 647 as the net number refused during this entire period of some four and one-half years, when the average number of employees has been from 10,500 to 11,000 and at times when the change of employees during a month amounted to twenty to thirty per cent and even higher at times.¹⁰

The company further reports that up to June 30, 1920, there were 73,501 rustling cards issued; that the total number refused to that date was 1,817 of which number 1,201 were reinstated, leaving a grand total of 616 absolute refusals.

In considering the Anaconda Company's records of refusals under the card system, it should be pointed out that no figures are

¹⁰ Missoula address of L. O. Evans, p. 24.

presented for the two-year period before 1914. The company states that there were no refusals during that period. The Metal Mine Workers deny this. They declare that "everyone in Butte knows that hundreds of them were blacklisted long before 1914 and that the great majority of these men have not been able to work on the hill since."¹¹ The company also claims that only 1,817 men (or 616 after deduction of those "reconsidered") have been refused cards. The Metal Mine Workers declared that in 1917 as a matter of fact more than five times the number of men reported by the company as having been blacklisted had been blacklisted.¹² They say, furthermore, that a number of men who have criticised the company have not been allowed in the rustling card office and that others have been so sure they would be turned down that "they have not bothered to go through the routine of asking for a card." There are undoubtedly some miners of whom this is true, but their number cannot be large.

To keep undesirable characters out of the mines has been officially declared the primary object of the rustling card. This object has not been attained. Miners of various union affiliation and officials of the company admit that there are at the present time a number of I. W. W.'s working in the mines of the Anaconda Company and of the other companies using the rustling card. The evidence seems to indicate that there are more members of this organization working in Anaconda mines than in mines where the rustling card is not required. There are also, on admission of company officials, members of the Metal Mine Workers' Union employed in the Anaconda Company mines. While there have been minor accidents in the different mines from time to time responsibility has not been definitely fastened upon the I. W. W.'s or upon the Metal Mine Workers in any case. It is probably true that there is in the mines a smaller proportion of I. W. W.'s and other radicals who are aggressive and active than would be the case if they had not been sifted in some way. The rustling card possibly keeps out the noticeably active and talkative radical.

Officials of the company have intimated that the increasing number of I. W. W.'s among the miners has resulted in a greater shiftlessness and instability of employment in the mines and implied that the effect of the agitation has been to shorten the average length of service. Whatever the cause may be it is a fact

¹¹ Strike Bulletin No. 38, Sept. 8, 1917.

¹² Strike Bulletin No. 34, Aug. 30, 1917.

that the labor turnover among underground employees of the Anaconda Company has greatly increased since 1914. The annual rate of job replacement has increased from 3 per employee in 1914 to 7 per employee in 1917, 10 per employee in 1918, 7 per employee in 1919, and 9 per employee in 1920.¹³ Whereas in 1914 each job was occupied during the course of the year by $2\frac{1}{2}$ men on the average, in 1917 each job was occupied by 7 men, in 1918 by 10 men, in 1919 by 7 men, and in 1920 by 9 men on the average; or, to put it in another way, in 1914 each employee worked $4\frac{1}{2}$ months (137 days) on the average, while in 1917 each employee worked less than two months or more exactly for 53 days on the average, in 1918 for 38 days, in 1919 for 53 days, and in 1920 for 41 days on the average.

The increase in labor mobility cannot be directly connected with the number of I. W. W.'s employed in the mines. The sanitary conditions in the mines and the hard and hazardous nature of the employment make for a high labor turnover but do not explain the increasing rate. Sanitary and safety conditions are a great deal better now than formerly, but the miner's standard of convenience, safety and hygiene have no doubt more than kept pace with improvements. The war, of course, had a great deal to do with the unprecedented increase in mobility between 1917 and 1918. The war period brought with it a great increase in the demand for labor, at the same time that its supply was enormously cut off by mobilization at home and abroad.

A great many of the miners seem to be entirely indifferent to the rustling card controversy. In general the indifferent employees are the ones who have personally suffered no deprivation because of the card. They are men who are satisfied if they can get steady work even at so hazardous an occupation as underground mining and they do not care to risk the loss of their jobs for the very remote and uncertain advantages which the spreading of unrest might bring them. Very few members of the craft internationals have made any complaint about the card. Three of the A. F. of L. organizations in Butte have openly criticised it: the Butte Workingmen's Union (a "town" organization of unskilled laborers), the Butte Local of the International Brotherhood of Electrical Workers, and the Steam Engineers' Union No. 83, affiliated with the A. F. of L. through the International Union of Mine, Mill and Smelter Workers.

¹³ Rate for 1920 based upon employment records for the first six months.

It is alleged by the Butte Workingmen's Union and the Metal Mine Worker's Union that the rustling card employment system has resulted in a large proportion of inexperienced men being taken into the mines and as a consequence a loss in efficiency and a very appreciable decrease in tons produced per man. They say that if the experienced miner who happens to be a socialist or an industrial unionist were not discriminated against, but allowed to work, there would be greater production, or, assuming capacity production, that this tonnage would be hoisted by fewer men. It is impossible to completely verify the truth of this statement without making a very detailed study of the per man output during a period of years and of the present composition of the working force with special reference to length of mining experience. Figures furnished by the Anaconda Company show for each month from June, 1914, to June, 1920, the tonnage output per man per shift. In June, 1914, it was 1.6 tons. From that time on to September, 1917, except for an increase to 1.8 in the winter of 1915, it suffered an almost continuous decline, being in the latter month 1.2 tons, and only rising again to 1.6 tons in March, 1918, after which time it declined, slowly in 1918 and more rapidly in 1919, reaching 1.2 tons per man per day in June, 1919. The lowest production record in the period under review was reached in December, 1919, when it stood at 1.1 tons per man per shift. The following months showed improvement and in June, 1920, the figure was 1.4. The operators believe that the average miner is not much less industrious than he was five or ten years ago, that there is at present a great amount of loafing on the job, and that a very large proportion of the nominal eight working hours are spent in resting. Indeed one of the leaders of the Metal Mine Workers' Union admitted to the general superintendent of the Anaconda Company, in the presence of the writer, that if a miner today could not do a day's work in five hours, he wasn't much good.

Conclusion.

It is sufficiently evident from what has been said in the preceding pages that the situation in Butte is a delicate and complicated one—and menacing. Even if their charges were unfounded, the fact remains that a large proportion of the miners are not satisfied, that the feeling in the community is exceedingly bitter and agitation and espionage go on, that dark suspicions of mo-

tives rankle in every interested faction. The company officials picture as anarchists, wreckers, and pro-Germans all those who attack them or advocate the new unionism. The union officials suspect that any of their fellow-workers may be stool-pigeons and sometimes even put in that category their own colleagues in office.

Even though the rustling card is less of an evil than the radicals paint it, even though the actual amount of discrimination under it is very small, the fact remains that, in itself, it is disliked by the miners, mildly disapproved of by the A. F. of L. men, and violently opposed by the I. W. W. and Metal Mine Workers. The actual discrimination is perhaps less important than the fear and apprehension which its critics believe the rustling card instils into the minds of the miners. They feel that it is a club held over them and they fear the consequences if they speak out about unsatisfactory conditions or about the card itself. The rustling card is perhaps more potent as a potential black-listing agency than as an actual black-listing machine.

The attitude of the company toward the general operation of the mines does not tend to dissipate this feeling of dissatisfaction. The miners have no voice or part in the management or in the determination of working conditions, the company's policy being that the administration and operation of the mines are purely company matters, to be carried on without advice from the general public and least of all from the miners. It is true that in February, 1918, the Anaconda Company announced the creation of a new department to be managed by one of their former foremen as a "commissioner of labor." This office, however, is merely a clearing house for the grievances of individual miners, a very necessary agency which had been lacking before. There had been no definite provision for the hearing of grievances and the seriousness of this lack is shown in many of the affidavits made by the miners. The new "commissioner" has nothing to do with employment. He simply hears grievances and tries to adjust them.

The operating officials of the Anaconda Company have not looked very favorably upon suggestions that the rustling card office be radically modified and expanded into a genuine employment bureau through which men would be actually hired and discharged. A transformation of the system along these lines would not of course give the company any greater power than it now has to refuse employment to those men whom it considers it inadvisable to employ. Even the existing machinery of the rustling card

is not absolutely necessary to enable the employer to keep out of his employ those whom he does not want. It is generally understood that any employer may hire whom he pleases and many employers manage to keep out a large proportion of those who are not desirable without the use of a rustling card system. The exclusion of "undesirables" as effected by the Anaconda card may or may not constitute a black list and the threat of exclusion may or may not be the threat of the black list. As has already been remarked, the purpose of selective and consistent exclusion of undesirable employees has been achieved, with or without the rustling card, only to a very limited extent. Quite as effective exclusion is believed to be possible through a company bureau of employment of the type now common in the United States, a bureau which actually hires men and through which they "clear" when quitting or discharged. Two or three of the smaller mining companies of the Butte district have established such bureaus and, so far, report satisfaction. Such a bureau, moreover, would be quite as effective a record-keeping agency as is the present system of the Anaconda Company. It would be free from the objectionable features of that system: the necessity of getting a permit before it is possible to even apply for work and the possibility of the abuse of such a permit. In other words, the purposes of the rustling card system which are not subject to criticism, the bookkeeping purposes, are fulfilled by record keeping parts of the system, which would function quite as efficiently in a modern employment bureau. As for the purposes which are subject to criticism, whether the criticism is valid or not, they are being only incompletely achieved. Despite the rustling card, I. W. W.'s and other radicals are working in the mines. The evidence also indicates that Metal Mine Workers, I. W. W.'s, socialists, and others have been kept out by means of it. It is entirely legitimate and quite right and proper for employers to reject job-applicants on either one of two grounds; viz., (1) that they are not qualified to do the work required; and (2) that they will be likely to inflict damage upon company property. There is grave doubt of the wisdom of doing it for any other reason.

PAUL F. BRISSENDEN.

New York University.

POSTSCRIPT

On April 18, 1920, the I. W. W. miners' local in Butte called a strike. The strikers demanded, apparently without presenting their demands before the strike was called: (1) the release of "political and industrial" prisoners, (2) a six-hour day from collar to collar, (3) an increase in wages from \$5.50 to \$7.00 per day, (4) abolition of the contract and bonus systems, and (5) abolition of the rustling card. On the nineteenth the strike was on and picket lines out. Two days later, on the twenty-first, there was a clash between deputy sheriffs and strike pickets on the Anaconda road. There was shooting; and, as a result, according to a news item which appeared in the *New York World* on April 22, "fourteen I. W. W. strike pickets and one policeman [deputy sheriff?] are in hospitals tonight with gunshot wounds." Subsequently at least one of the strikers died. This shooting affray ended the strike, at least in its active phase.

There have followed more or less closely on the heels of this last strike two developments of no little importance in the history of the Butte rustling card. The first of these was the explicit announcement by the Anaconda Copper Mining Company that I. W. W.'s would not be employed in its mines. On the occasion of the writer's last visit to Butte, in July, 1920, he found posted in that company's offices and elsewhere on its properties large posters reading as follows: "No member of the I. W. W. will be employed at this property.—Anaconda Copper Mining Company." These notices bore the date May 10, 1920. This new policy was adopted, no doubt, largely as a result of the strike of the preceding month. It is to be noted also that it involved the explicit elimination from employment in the Anaconda mines (and so, very largely, from employment in the Butte district) of one of the two miners' organizations which have been most actively hostile to the rustling card.

The second new development was an important change in the employment system in the Butte mines—a change which involved the transference of the administration of the system from the single auspices of the Anaconda Company to the joint auspices of all (or nearly all) the operators in the district. This new, jointly operated machinery is called The Butte Mutual Labor Bureau. It happened that the offices of this new bureau were just being opened at the time of the writer's last visit to Butte. The new bureau issues a "recommendation card"—a cardboard folder

bearing on the cover the name of the bureau and on the inside containing the following:

No.....

This is to certify that at this date of issuing this card.....
Mr. is recommended by Butte Mutual Labor
Bureau for employment.

.....

Manager.

Age

For the Protection of Holder
(Non-transferable)

Height

This card is the exclusive property of the
Butte Mutual Labor Bureau, who may re-
cover and take possession of it at any time.
It cannot be sold or loaned, and if presented
by any one but the original holder it will be
taken up and canceled. If lost, notify the
Manager at once.

Color eyes

The above conditions are accepted.

Color hair

Signature

Weight

Complexion

Nationality

Before this card is issued to the applicant he is required to fill out an "application for recommendation" which presents two pages of questions to be answered—many more questions than were asked by the Anaconda Company before issuance of its rustling card. Among the questions on the new application form are several concerning citizenship, one which asks: "Do you believe in a constitutional form of government?" and the three following in regard to radical labor organizations: "Are you a member of the I. W. W.? Are you a member of the O. B. U.? Do you believe in the purposes or methods of the I. W. W.?"

When a miner who has secured one of these "recommendation cards" gets a job in one of the mines his card is held at the mine office during the period of his employment. When he quits work in that mine he goes to the office of the bureau, makes application again, and, after his record is checked up, again receives the card for the purposes of another job hunt.

It is evident that this card, like the Anaconda Company card described above, is a "rustling" not a hiring card. However, it would seem to be a distinct improvement over the Anaconda card in that it is issued jointly by the mine operators of the district rather than by a single company.

P. F. B.